

Exhibit A



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1716-CV31623 - SCOT CRADER ET AL V NATIONWIDE INSURANCE COMPANY O (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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Document ID - 18-SMCM-1; Served To - NATIONWIDE INSURANCE COMPANY OF AMERICA; Server - ; Served Date - 17-JAN-18; Served Time - 06:03:00; Service Type - Certified Mail; Reason Description - Served

01/05/2018 ☐ [Summons Issued-Reg/Cert Mail](#)

Document ID: 18-SMCM-1, for NATIONWIDE INSURANCE COMPANY OF AMERICA.

01/03/2018 ☐ [Affidavit for Service by Mail](#)

Affidavit for Service By Certified Mail.

Filed By: TELISA LYNN HOSKINS

On Behalf Of: SCOT CRADER, PLAZA GARDEN ON THE LAKE CONDOMINIUM ASSOCIATION

12/26/2017 ☐ [Correspondence Sent](#)

Letter to Attorney for Affidavit

☐ [Case Mgmt Conf Scheduled](#)

Scheduled For: 04/09/2018; 9:00 AM ; JOEL P FAHNESTOCK; Jackson - Kansas City

12/20/2017 ☐ [Judge Assigned](#)

☐ [Filing Info Sheet eFiling](#)

Filed By: TELISA LYNN HOSKINS

☐ [Note to Clerk eFiling](#)

Filed By: TELISA LYNN HOSKINS

☐ [Pet Filed in Circuit Ct](#)

Petition; Exhibit A-Estimate of Repairs; Exhibit B-State Farm Denial Letter.

On Behalf Of: SCOT CRADER, PLAZA GARDEN ON THE LAKE CONDOMINIUM ASSOCIATION

Case.net Version 5.13.18.1

[Return to Top of Page](#)

Released 01/30/2018

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

**SCOT CRADER
4113 NW CLAYMONT DR.
Kansas City, Missouri 64116**

AND

**PLAZA GARDEN ON THE LAKE
CONDOMINIUM ASSOCIATION
C/O SUNWEST PROPERTY MANAGEMENT
14749 MO-5
SUNRISE BEACH, MISSOURI 65079**

Plaintiff,

v.

**NATIONWIDE INSURANCE COMPANY OF
AMERICA
1100 LOCUST STREET
DES MOINES, IA 50391-1100**

Re: Policy Number of SCP0976828

Defendant.

Case No. _____
Division: _____

PETITION

COMES NOW Plaintiff, Scot Crader (hereinafter referred to as “Crader”) and Plaza Garden on the Lake Condominium Association (hereinafter referred to as “Condo Association”), for their claim for relief against Defendant Nationwide Insurance Company of America (hereinafter “Nationwide”) and states and alleges to the Court as follows:

PARTIES, VENUE, & JURISDICTION

1. That the above named Plaintiff Crader is an individual residing in Jackson County, Missouri with a principal address of 4113 NW Claymont Drive, Kansas City, Missouri

64116. Plaintiff also owned the condo at issue located at 248 Plaza Garden Boulevard, Camdenton, Missouri 65020 in Camden County, Missouri.

2. The above named Plaintiff Plaza Garden on the Lake Condominium Association is a foreign corporation registered to do business in the State of Missouri. The Condo Association is located in Camden County, Missouri.

3. The above named Defendant Nationwide is the insurance company of the Condo Association for the condominium's located in Camden County, Missouri, and is registered to do business in the State of Missouri.

4. Personal jurisdiction and venue are appropriate for this case in Missouri as the as Plaintiff is a resident of Jackson County, Missouri and the Defendant is registered to do business in the State of Missouri. Therefore, this Court has proper jurisdiction and venue is proper.

STATEMENT OF FACTS

5. Plaintiff owned a condominium with an address of 248 Plaza Garden Boulevard, Camdenton, Missouri 65020.

6. The Condo Association was the condominium association for Crader's condominium, and was located at 14749 MO-5, Sunrise Beach, Missouri, 65079.

7. On or about March 12, 2014 a water line broke that was located within the interior walls between condominium units above Crader's condominium unit. Crader's condominium unit was damaged from water that leaked into the unit as a result of the water line break.

8. At the time the waterline break, the Condo Association owned the exterior and interior walls of the condominium building, and all items within such walls including all electrical and plumbing systems located within such walls.

9. The waterline that broke was owned by the Condo Association.
10. The Condominium Association is responsible for the maintenance of the waterline that broke.
11. Nationwide insured Condo Association against liability for damage that Condo Association caused to others during the relevant time frames at issue. The insurance contract has a Policy Number of SCP0976828.
12. Nationwide insured Condo Association against Condo Association's liability for damage to Crader's condominium unit that resulted from the waterline break.
13. Crader received an estimate for repairs from CCC, LLC in the amount of \$41,300.00. See Estimate attached hereto as **Exhibit A**. In addition, Crader engaged Servepro to remove the cabinets, sheetrock, and flooring that was ruined by the water leak. Servepro charged Crader \$2,400 for this service.
14. The condominium unit owner located above Crader notified State Farm, its general liability insurance carrier, of the incident. On May 22, 2015 a State Farm insurance field adjuster performed a field appraisal on the damage and physically inspected the leak. On site the adjuster determined that the water line broke within the interior walls of the condominium, and therefore was not the liability of the unit owner located above Crader's unit. *See* State Farm letter attached hereto as **Exhibit B**.
15. After the water line broke, Crader made many attempts over the course of a year to file a claim with the appropriate insurance carrier. Agents of Nationwide, and its affiliate insurance companies repeatedly misdirecting Crader. On or about February 10, 2016 Crader filed a claim with Nationwide for the damages.

16. For a period of approximately 20 months since the claim was filed, Nationwide continuously requested more and more information about the claim, each time suggesting it would pay the claim upon receipt of such additional information.

17. Nationwide has yet to pay the claim. Nationwide has not provided a basis for not paying the claim.

COUNT I-BREACH OF CONTRACT

18. Plaintiff re-alleges and incorporates by reference all allegations or paragraphs 1 through 17 above, as though set forth in full herein.

19. An insurance contract exists pursuant to which Nationwide agreed to insure Condo Association against the liability it has to Crader for the damages Crader suffered as a result of the waterline break.

20. Nationwide is liable to Crader pursuant to its obligation under the insurance policy to insure against this risk of water leaks.

21. The flooding proximately caused damage to Crader's condominium in the amount of \$43,700.00.

22. Crader filed a claim with Nationwide to pay the damages. Nationwide failed to pay the claim. As a result, Nationwide is in breach of the contract.

COUNT II-VEXASIOUS REFUSAL TO PAY

23. Plaintiff re-alleges and incorporates by reference all allegations or paragraphs 1 through 22 above, as though set forth in full herein.

24. The insurance contract with Nationwide was issued or delivered in the state of Missouri to the Condo Association.

25. A claim was made under the insurance contract with Nationwide,

26. The claim was made more than 30 days prior to the date of filing this lawsuit.
27. Nationwide refused to pay the claim.
28. Nationwide's refusal to pay under the claim is vexatious and without reasonable cause.

WHEREFORE, Plaintiff prays this Court order a Declaratory Judgment against Defendants in the amount of \$43,700.00.

Respectfully submitted,

By: /s/ Telisa L.Hoskins
Telisa L. Hoskins, MO Bar NO. 43789
6842 W. 121st Court,
Overland Park, Kansas 66209
P (913) 906-9830
F (913)906-9840
telisahoskinslaw@aol.com

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

SCOT CRADER ET AL

**PLAINTIFF(S),
VS.**

**CASE NO. 1716-CV31623
DIVISION 9**

NATIONWIDE INSURANCE COMPANY OF AMERICA

DEFENDANT(S),

**NOTICE OF CASE MANAGEMENT CONFERENCE FOR CIVIL CASE
AND ORDER FOR MEDIATION**

NOTICE IS HEREBY GIVEN that a Case Management Conference will be held with the Honorable **JOEL P FAHNESTOCK** on **09-APR-2018** in **DIVISION 9** at **09:00 AM**. All Applications for Continuance of a Case Management Conference should be filed on or before Wednesday of the week prior to the case management setting. Applications for Continuance of a Case Management Conference shall comply with Supreme Court Rule and 16th Cir. R. 34.1. Continuance of a Case Management Conference will only be granted for good cause shown because it is the desire of the Court to meet with counsel and parties in all cases within the first 4 months that a case has been on file. All counsel and parties are directed to check Case.NET on the 16th Judicial Circuit web site at www.16thcircuit.org after filing an application for continuance to determine whether or not it has been granted.

A lead attorney of record must be designated for each party as required by Local Rule 3.5.1. A separate pleading designating the lead attorney of record shall be filed by each party as described in Local Rule 3.5.2. The parties are advised that if they do not file a separate pleading designating lead counsel, even in situations where there is only one attorney representing the party, JIS will not be updated by civil records department, and copies of orders will be sent to the address currently shown in JIS. Civil Records does not update attorney information from answers or other pleadings. The Designation of Lead Attorney pleading shall contain the name of lead counsel, firm name, mailing address, phone number, FAX number and E-mail address of the attorney who is lead counsel.

At the Case Management Conference, counsel should be prepared to address at least the following:

- a. A trial setting;
- b. Expert Witness Disclosure Cutoff Date;
- c. A schedule for the orderly preparation of the case for trial;
- d. Any issues which require input or action by the Court;
- e. The status of settlement negotiations.

MEDIATION

The parties are ordered to participate in mediation pursuant to Supreme Court Rule 17. Mediation shall be completed within 10 months after the date the case is filed for complex cases, and 6 months after the date the case is filed for other circuit cases, unless otherwise ordered by the Court. Each party shall personally appear at the mediation and participate in the process. In the event a party does not have the authority to enter into a settlement, then a representative of the entity that does have actual authority to enter into a settlement on behalf of the party shall also personally attend the mediations with the party.

The parties shall confer and select a mutually agreeable person to act as mediator in this case. If the parties are unable to agree on a mediator the court will appoint a mediator at the Case Management Conference.

Each party shall pay their respective pro-rata cost of the mediation directly to the mediator.

POLICIES/PROCEDURES

Please refer to the Court's web page www.16thcircuit.org for division policies and procedural information listed by each judge.

/S/ JOEL P FAHNESTOCK
JOEL P FAHNESTOCK, Circuit Judge

Certificate of Service

This is to certify that a copy of the foregoing was mailed postage pre-paid or hand delivered to the plaintiff with the delivery of the file-stamped copy of the petition. It is further certified that a copy of the foregoing will be served with the summons on each defendant named in this action.

Attorney for Plaintiff(s):

TELISA LYNN HOSKINS, POST OFFICE BOX 32397, KANSAS CITY, MO 64171

Defendant(s):

NATIONWIDE INSURANCE COMPANY OF AMERICA

Dated: 26-DEC-2017

MARY A. MARQUEZ
Court Administrator

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

☒ AT KANSAS CITY ☐ AT INDEPENDENCE

RE: SCOT CRADER ET AL V NATIONWIDE INSURANCE COMPANY O
CASE NO: 1716-CV31623

TO: TELISA LYNN HOSKINS
POST OFFICE BOX 32397
KANSAS CITY, MO 64171

We have received pleadings, which you submitted for filing in the case and they have been file-stamped on December 20, 2017. However, your pleading cannot be processed further until the following action is taken:

RULE 3.2 - STYLE

- ☐ Additional service instructions are needed.
- ☐ Incorrect case number/filed in wrong county.
- ☐ Document is unreadable.

RULE 4.2 (2)

- ☐ Need Circuit Court Form 4

RULE 5.6 – COLLECTIONS OF DEPOSIT

- ☐ No fee, or incorrect fee, received; fee required is \$_____.
- ☐ Insufficient Filing Fee; Please Remit \$_____
- ☐ No signature on check/form 1695.
- ☐ No request to proceed in forma pauperis.
- ☐ No personal checks accepted.

RULE 68.1

- ☐ Need Circuit Court Form 17

☒ **OTHER:** Before your case can be processed further you will need to eFile the required affidavit marked above.

☒ Please take the actions necessary to comply with the Circuit Court Rules and your request will be processed.

- ☐ The private process server listed is not on our approved list.
- ☐ Execution in effect. Return date _____. Request may be resubmitted within one week prior to return date.
- ☐ Supreme Court Rule 90.13 requires interrogatories be served with summons of garnishment.

If the filing was a new case, please be advised that unless the additional information marked is received within 30 days of the date of this notice this case will be dismissed pursuant to Rule 37.4 for failure to prosecute without prejudice, at the Plaintiff's cost. Collection efforts will be pursued for these costs.

Please refer to the Court's website at www.16thcircuit.org for Court Rules or Forms.

Copies electronic noticed, faxed, emailed and/or mailed DECEMBER 26, 2017 to:

COURT ADMINISTRATOR'S OFFICE
DEPARTMENT OF CIVIL RECORDS
CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

DECEMBER 26, 2017

Date

By



Peggy Holley, 816-881-6491

Deputy Court Administrator

- ☒ 415 East 12th St., Kansas City, Missouri 64106
- ☐ 308 W. Kansas, Independence, Missouri 64050

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

**SCOT CRADER
4113 NW CLAYMONT DR.
Kansas City, Missouri 64116**

AND

**PLAZA GARDEN ON THE LAKE
CONDOMINIUM ASSOCIATION
C/O SUNWEST PROPERTY MANAGEMENT
14749 MO-5
SUNRISE BEACH, MISSOURI 65079**

Plaintiff,

Case No.1716-CV31623

v.

**NATIONWIDE INSURANCE COMPANY OF
AMERICA
1100 LOCUST STREET
DES MOINES, IA 50391-1100**

Re: Policy Number of SCP0976828

Defendant.

AFFIDAVIT REQUESTING SERVICE BY CERTIFIED MAIL

I, Telisa L. Hoskins, attorney of record for Scot Crader and Plaza Garden on the Lake Condominium Association being of sound mind and under no duress, do hereby certify, attest and affirm that the following facts are true and correct, to wit:

1. That on January 2, 2018, on behalf of Scot Crader and Plaza Garden on the Lake Condominium Association I hereby request service of the Summons and Petition be served via certified mail through the Court one complete set of the documents as described above properly enveloped and addressed to addressee(s) and addresses(s) as follows:

Nationwide Insurance Company of America
1100 Locust Street
Des Moines, IA 50391-1100

2. That I am at least 18 years of age.

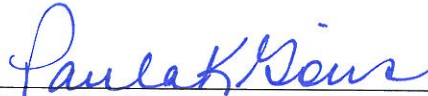
3. That I am not related to the recipient(s) by way of blood, adoption, marriage or employment.

I now affix my signature to these affirmations this 2nd day of January, 2018.

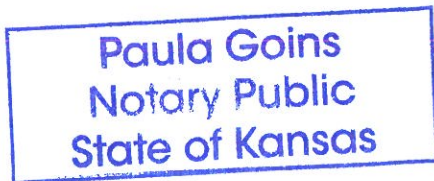


Telisa L. Hoskins

STATE OF Kansas, COUNTY OF Johnson, ss:



Notary Public



Nov 21, 2021

My Commission Expires

Submitted By:

By: /s/ Telisa L. Hoskins

Telisa L. Hoskins, MO Bar NO. 43789

6842 W. 121st Court,

Overland Park, Kansas 66209

P (913) 906-9830

F (913) 906-9840

telisahoskinslaw@aol.com



IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: JOEL P FAHNESTOCK	Case Number: 1716-CV31623	(Date File Stamp)
Plaintiff/Petitioner: SCOT CRADER vs.	Plaintiff's/Petitioner's Attorney/Address: TELISA LYNN HOSKINS POST OFFICE BOX 32397 KANSAS CITY, MO 64171	
Defendant/Respondent: NATIONWIDE INSURANCE COMPANY OF AMERICA	Court Address: 415 E 12th KANSAS CITY, MO 64106	
Nature of Suit: CC Breach of Contract		

Summons for Service by Registered or Certified Mail

The State of Missouri to: NATIONWIDE INSURANCE COMPANY OF AMERICA
Alias:

1100 LOCUST STREET
DES MOINES, IA 50391

COURT SEAL OF



JACKSON COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner, or Plaintiff/Petitioner, if pro se, at the above address all within 30 days after the return registered or certified mail receipt signed by you has been filed in this cause. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in the petition.

05-JAN-2018
Date Issued


Clerk

Further Information:

Certificate of Mailing

I certify that on January 5, 2018, I mailed a copy of this summons and a copy of the petition to Defendant/Respondent NATIONWIDE INSURANCE COMPANY OF AMERICA by registered or certified mail, requesting a return receipt by the addressee only, to the said Defendant/Respondent at the address furnished by Plaintiff/Petitioner.

January 05, 2018

Date


Deputy Court Administrator

****CERTIFIED ARTICLE NUMBER: 9214 8901 0661 5400 0117 5704 85****

SUMMONS/GARNISHMENT SERVICE PACKETS ATTORNEY INFORMATION

Under the Missouri e-filing system now utilized by the 16th Judicial Circuit Court, once a case has been accepted for filing, a clerk prepares the necessary documents for service. The summons/garnishment is sent to the attorney by an e-mail containing a link so that the filer may print and deliver the summons/garnishment, pleadings and any other necessary documents to the person designated to serve the documents.

Pursuant to State statutes, Supreme Court Rules and Local Court Rules, attorneys are required to print, attach and serve specific documents with certain types of Petitions and other filings.

Please refer to the Court's website for instructions on how to assemble the service packets at:

16thcircuit.org → Electronic Filing Information → Required Documents for Service – eFiled cases → Summons/Garnishment Service Packet Information.

Please review this information periodically, as revisions are frequently made. Thank you.

Circuit Court of Jackson County

U.S. DISTRICT COURT
DES MOINES, MO-KC

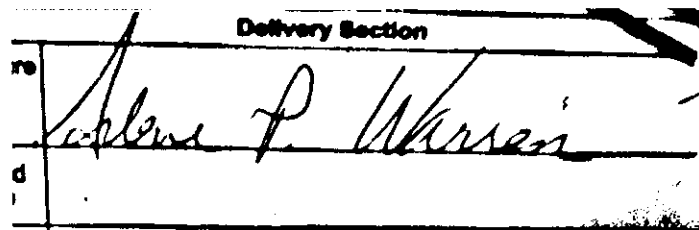
18 JAN 23 AM 11:58

Date: January 18, 2018

MAIL MAIL:

The following is in response to your January 18, 2018 request for delivery information on your Certified Mail™/RRE item number 92148901066154000117570485. The delivery record shows that this item was delivered on January 17, 2018 at 6:03 am in DES MOINES, IA 50306. The scanned image of the recipient information is provided below.

Signature of Recipient :

 Delivery Section

Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000117570485
1716-CV31623
NATIONWIDE INSURANCE CO OF AMERICA
1100 Locust St
Des Moines, IA 50391-1100
18-SMCM-1 PH

SSCRM